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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : PATENT
: Robert Manfeld Glaubitz :
Serial No.:10/521,740 : Art Unit: 3653
Filed: January 19, 2005 : Examiner:
For: HYDROMECHANICAL DRIVING :
DEVICE :

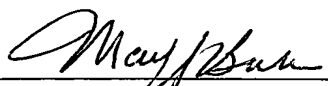
**SUBMISSION OF ENGLISH LANGUAGE
PRELIMINARY EXAMINATION REPORT**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith is an English language Preliminary Examination Report for the above-identified application.

Respectfully submitted,


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Dated: Aug 21, 2005

From the INTERNATIONAL BUREAU

PCTNOTIFICATION OF TRANSMITTAL
OF COPIES OF TRANSLATION
OF THE INTERNATIONAL PRELIMINARY
EXAMINATION REPORT

(PCT Rule 72.2)

To:

**BARTELS UND PARTNER
PATENTANWÄLTE**

BARTELS UND PARTNER

Lange Strasse 51

70174 Stuttgart

ALLEMAGNE

Empfangen: 22. MRZ. 2005

Received:

TERMIN

Date of mailing (day/month/year) 17 March 2005 (17.03.2005)	
Applicant's or agent's file reference 40cdh/229091/PCT	IMPORTANT NOTIFICATION
International application No. PCT/EP2003/007162	International filing date (day/month/year) 04 July 2003 (04.07.2003)
Applicant HYDAC FILTERTECHNIK GMBH et al	

1. Transmittal of the translation to the applicant.

The International Bureau transmits herewith a copy of the English translation made by the International Bureau of the international preliminary examination report established by the International Preliminary Examining Authority.

2. Transmittal of the copy of the translation to the elected Offices.

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following elected Offices requiring such translation:

None

The following elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

EP, JP, US

3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report.

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Authorized officer

Agnes Wittmann-Regis

Facsimile No.+41 22 740 14 35

Facsimile No.+41 22 338 89 70

Translation

PATENT COOPERATION TREATY

PCT/EP2003/007162



PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 40cdh/229091/PCT	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/EP2003/007162	International filing date (day/month/year) 04 July 2003 (04.07.2003)	Priority date (day/month/year) 07 August 2002 (07.08.2002)
International Patent Classification (IPC) or national classification and IPC B01D 29/09		
Applicant HYDAC FILTERTECHNIK GMBH		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.	
2. This REPORT consists of a total of <u>5</u> sheets, including this cover sheet.	
<input checked="" type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).	
These annexes consist of a total of <u>2</u> sheets.	
3. This report contains indications relating to the following items:	
I <input checked="" type="checkbox"/>	Basis of the report
II <input type="checkbox"/>	Priority
III <input type="checkbox"/>	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
IV <input type="checkbox"/>	Lack of unity of invention
V <input checked="" type="checkbox"/>	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
VI <input type="checkbox"/>	Certain documents cited
VII <input type="checkbox"/>	Certain defects in the international application
VIII <input type="checkbox"/>	Certain observations on the international application

Date of submission of the demand 13 November 2003 (13.11.2003)	Date of completion of this report 07 October 2004 (07.10.2004)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/EP2003/007162

I. Basis of the report

1. With regard to the elements of the international application:*

- ☐ the international application as originally filed
- ☒ the description:
 pages 2-11, as originally filed
 pages _____, filed with the demand
 pages 1, filed with the letter of 17 August 2004 (17.08.2004)
- ☒ the claims:
 pages 2 (in part), 3-16, as originally filed
 pages _____, as amended (together with any statement under Article 19
 pages _____, filed with the demand
 pages 1,2 (in part), filed with the letter of 17 August 2004 (17.08.2004)
- ☒ the drawings:
 pages 1/2-2/2, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____
- ☐ the sequence listing part of the description:
 pages _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item. These elements were available or furnished to this Authority in the following language _____ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/fig _____

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.
PCT/EP 03/07162

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-16	YES
	Claims		NO
Inventive step (IS)	Claims	1-16	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-16	YES
	Claims		NO

2. Citations and explanations

Reference is made to the following documents:

D1: FR-A-2 698 283 (CONIL PIERRE) 27 May 1994
(1994-05-27)

D2: DE 92 17 783 U (FAB FILTERTECHNIK) 4 March 1993
(1993-03-04)

1. Novelty and inventive step

1.1 D1, which is regarded as the closest prior art, discloses a belt filter which is advanced by a hydromotor equipped with a membrane, a pressure control device being provided which triggers movement of the plunger as a function of the filter state, this movement of the plunger being converted into an advance movement of the belt by a mechanical system (see D1, page 8, line 22 to page 9, line 4, and page 10, line 30 to page 13, line 2, and figures 2 to 4). The filter state is determined by the changing level of liquid.

Claim 1 of the present application differs from D1 in that a hydraulic accumulator is used to drive the filter belt, the hydraulic accumulator being driven

with the aid of a pressure control device as a function of the differential pressure. The subject matter of claim 1 is thus novel (PCT Article 33(2)).

- 1.2 Although the use of differential pressure to control the advance movement is disclosed, in principle, in D2, the use of a hydraulic accumulator cannot be found in any of the available documents. D2 mentions in this regard a hydraulic motor or a pneumatic motor. Therefore, in view of the available prior art, the problem of interest can be considered that of developing a simpler advancing system.

In the solution proposed in claim 1, the pressure of the medium to be filtered is used both as an energy source for the drive and as a control variable for initiation of the forward movement. Separate, fault-prone control electronics and an external energy supply can thus be dispensed with. A complicated regulating system such as the level measurement disclosed in D1 is also unnecessary. This type of procedure for simplifying the control of belt filters is neither described in nor suggested by the known documents. Consequently, the solution to the stated problem proposed in claim 1 of the present application involves an inventive step (PCT Article 33(3)).

- 1.3 Claims 2 to 16 are dependent on claim 1 and therefore likewise meet the PCT requirements for novelty and inventive step.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

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2. Industrial applicability

Industrial applicability is obvious.